

Mr. Charles Helm
Vice President
Norgasco, Inc.
2522 Arctic Boulevard
Suite 100
Anchorage, AK 99503

Re: CPF No. 56006

Dear Mr. Helm:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. Based upon the recommendation of the Western Regional Director, Norgasco's corrective actions and amended procedures are accepted as adequate and no further enforcement action is anticipated with respect to the matters in this case.

Your receipt of the Final Order constitutes service of that document under 49 C.F.R. § 190.5.

This case is now closed. Thank you for your cooperation in our joint effort to ensure pipeline safety.

Sincerely,

Gwendolyn M. Hill
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
WASHINGTON, DC

_____)
In the Matter of)
)
Norgasco, Inc.) CPF No. 56006
)
Respondent.)
_____)

FINAL ORDER

On October 18-19, 1995, pursuant to 49 U.S.C. § 60117, a representative of the Office of Pipeline Safety (OPS), conducted an on-site pipeline safety inspection of Respondent's facilities and records in Deadhorse, Alaska. As a result of the inspection, the Director, Western Region, OPS issued to Respondent, by letter dated March 6, 1996, a Notice of Probable Violation, Proposed Compliance Order and Notice of Amendment (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Respondent had violated 49 C.F.R. §§ 192.605(d), 192.625 and 199.19 and proposed that Respondent take certain measures to correct the alleged violations. The Notice also proposed, in accordance with 49 C.F.R. § 190.237, that Respondent amend its operations and maintenance procedures.

Respondent responded to the Notice by letter dated April 4, 1996. Respondent did not contest the allegations. Respondent did not request a hearing, and, therefore, waived its right to one.

FINDINGS OF VIOLATION

Item 1 in the Notice alleged that Respondent had violated 49 C.F.R. § 192.605(d) because it did not have instructions in its Operations and Maintenance (O&M) Manual on how to recognize or report safety-related conditions. Section 192.605(d) requires that an operator's O&M Manual include instructions enabling personnel who perform operations and maintenance activities to recognize conditions that may potentially be safety-related conditions that are required to be reported.

Item 2 alleged that Respondent violated 49 C.F.R. § 192.625, which requires that a combustible gas in a distribution line be odorized so that at a concentration in air of one-fifth of the lower explosive limit, the gas is readily detectable. The regulation further requires an operator to conduct periodic sampling of combustible gases to assure the proper concentration of odorant. The Notice alleged that Respondent's testing did not establish whether the gas was readily detectable at the required concentration.

Item 7 alleged that Respondent violated 49 C.F.R. § 199.19, because its Employee Assistance Plan (EAP) did not include the required information to educate its employees about drug use.

Respondent did not contest the allegations. Respondent explained that it had revised its operations manual to address the shortcoming pointed out in the Notice.

Accordingly, I find that Respondent violated 49 C.F.R. §§ 192.605(d), 192.625 and 199.19. These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

COMPLIANCE ORDER

The Notice proposed a compliance order with respect to the items discussed above. Respondent has demonstrated corrective action addressing these items. Respondent has revised its operations manual, developed a new "Prevention of Alcohol & Drug Abuse" EAP, and purchased an odorometer. The Director, Western Region, OPS has accepted these measures as adequately fulfilling the requirements of the regulations and no further action is needed with respect to a compliance order.

AMENDMENT OF PROCEDURES

The Notice alleged inadequacies in Respondent's Operations and Maintenance Manual and proposed to require that Respondent amend its procedures to comply with the requirements of 49 C.F.R. §§ 192.615(b)(3), 192.465, 192.723(b)(1) and 199.7. Respondent submitted copies of its procedures addressing the cited inadequacies. The Director, Western Region, OPS has accepted these procedures as adequate to assure safe operation of Respondent's pipeline system. Accordingly, no need exists to issue an order directing amendment.

The terms and conditions of this Final Order are effective upon receipt.

/s/ Richard B. Felder

Richard B. Felder
Associate Administrator
for Pipeline Safety

Date issued: __3/12/98__